

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JUAN DAVILA-BAJANA,

Plaintiff,

vs.

TIM HOLOHAN, et al.,

Defendant.

FILED

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CLERK
U.S. DISTRICT COURT

Civil Action No. 04-253E

Hon. Sean J. McLaughlin

United States District Judge

Hon. Susan Paradise Baxter, Chief

United States Magistrate Judge

MOTION FOR LEAVE TO AMEND COMPLAINT

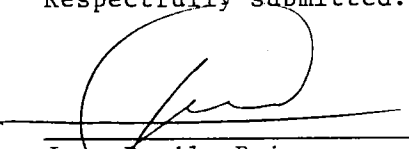
NOW COMES, the Plaintiff, Juan Davila-Bajana, and appearing pro se, hereby moves this Court pursuant to Fed. Civ.P. Rule 15(a), leave to amend the complaint in order to add a party.

1. The Plaintiff neglected to add the UNITED STATES OF AMERICA as a party in reference to the claims pursuant to the Federal Tort Claims Act. The Plaintiff wishes to add the United States as a party herein.

2. The Court should grant leave to freely amend the complaint. Foman v. Davis, 371 U.S. 178, 182 (1962).

Dated: February 20, 2006

Respectfully submitted:



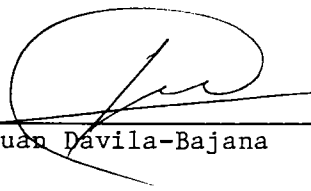
Juan Davila-Bajana
Reg. No. 47580-053
FCI McKean
P.O. Box 8000
Bradford, PA. 16701-0980

Plaintiff pro se

CERTIFICATE OF SERVICE

I do hereby certify that on this the 20th day of february, 2006, I placed in prison staff hands, at the lunch mainline, a true and correct copy of the foregoing pleading. I do further certify that I affixed to the wrapper sufficient first-class postage, and addressed same for delivery to:

Mr. Paul D. Kovac, Esq.
Assistant U.S. Attorney
700 Grant Street, Suite 4000
Pittsburgh PA 15219



Juan Davila-Bajana